

## BOARD OF SELECTMEN

September 8, 2009  
Minutes

The Board of Selectmen met on Tuesday, September 8, 2009 in the Town Hall Clark Room. Those present were Selectmen Timothy F. Hult, John D. Williams, William R. Tice, Jr., Douglas A. G. Stevenson, and Peter Scavongelli.

Mr. Hult said Mrs. McKenzie would not be present tonight due to a person matter and he would preside over the meeting as well as possible.

### Town Administrator Report

A student at Emerson College has requested the use of a room in Town Hall on October 4th to film a portion of his thesis film, entitled *Beneath Contempt*. The student, Ben Brewer would like the filming to occur during the day for about four to five hours. This filming project would include a crew of six people plus five actors. There was a brief discussion over who would let crew in Town Hall and stay with them while they worked. Mr. Hult said those arrangements would have to be made for that. Mr. Tice said the Board would like to see the film. On a motion made by Mr. Williams and seconded Mr. Tice, it was unanimously **VOTED** to authorize Ben Brewer to utilize a room in Town Hall on Sunday, October 4<sup>th</sup>, for four to five hours to accommodate his completing the film, *Beneath Contempt*, and with the assumption that the logistics are worked out with other Town personnel.

Mr. Hult spoke about the Hanover Hill easement. He said Attorney Paul Alphen, who represents Wilkins Hill Realty LLC, has requested the Town accept an amended non-exclusive pathway easement for the pathway, through the Hanover Hill Development. It was pointed out that the Board approved this minor change, moving the pathway closer to the road for visibility and safety of those using the pathway. This easement will be included in the next Spring Town Meeting. On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the amended non-exclusive pathway easement for the pathway constructed to the Hanover Hill Development as discussed at a prior meeting.

### Liaison Reports

Mr. Tice reported that the Master Plan Committee for the High School has received several responses to the RFP. He said they are going in full force; they have received about 13 responses, which are being reviewed and scored. A decision as to which firm they will go with will be made by the end of September.

Mr. Williams said there will be a joint Carlisle Affordable Housing Trust and Carlisle Housing Authority meeting on Thursday, September 10<sup>th</sup> at 7:30 p.m.

Mr. Hult spoke about the FinTeam meeting this morning. He said abatements were discussed. Mr. Hult said the Assessor presented a document that showed how many abatements were granted in 2009, which were 73, and in 2008, which were 45. He said the bottom line on abatements and exemptions is that there has not been a significant increase in either number. He added that there seems to be a significant slow down in payment of taxes. Then there was a discussion over the re-val year.

Mr. Hult said there was also a discussion on starting up the long term planning group.

Mr. Williams said it was mentioned that the Finance Committee expressed a desire to send out a letter to the Departments relative to a budget reduction. Mr. Hult said the Board should discuss this matter with the FinCom before they send out this type of letter to the Departments.

Mr. Hult spoke about the establishment of the Negotiation Team who will talk with the new Town Administrator. He said he would like to move this matter along fairly quickly.

Mr. Scavongelli spoke briefly about the Highland Building I and the Highland Building II committees. He said he has reached out to a few of the people who have expressed desire to work on these committees. Mr. Hult questioned whether the Board had established a charge for these two committees. This matter will be discussed at the next meeting.

### **Cemetery Deeds**

The Board of Selectmen, in their role as Cemetery Commissioners, made the following deed transfer.

On a motion made by Mr. Tice and seconded by Mr. Stevenson, it was unanimously **VOTED** to transfer to Kathleen Chick of Carlisle, Massachusetts, Deed #638 Cemetery Lot # D339, Graves 1 through 4 in the Town of Carlisle, Green Cemetery.

### **Minutes**

On a motion made by Mr. Tice and seconded by Mr. Stevenson it was **VOTED 3 -0 -2 abstaining** to approve the Minutes of the August 25, 2009 Board of Selectmen meeting.

### **Pedestrian and Bike Safety Advisory Committee**

Deb Belanger was present to give an update on their finances and secondly to discuss what they would like to do on pathways. Jack Troast was also present and he spoke about the committees finances. He said the total funding sources since the last time they were present at Board's meeting has not changed. That amount is still \$492,000. He said to-date the total expenditures are \$388,000; however there is still remaining approximately \$30,000.00 in additional costs and \$10,000.00 for the Westford Street allocation, which would leave the amount of \$64,000.00 afterward.

Deb and Jack discussed the remaining priorities and the amount of money they have left. One scenario would be to do the four small projects, such as the Library pathway, Bedford Road [ Kimball's to Stearns], Concord St. [Bingham Road to the CCHS Bus stop], and Bedford Road[ East St intersection to the Library crosswalk] or to take the \$64,000 and apply it to Westford Street – Acton St. to Curve St. They wanted to know if the Selectmen supported four little projects or if they preferred the application of the \$64,000.00 to a larger project. Mr. Hult asked if this is an eminent item. Deb said maybe the end of this calendar year. The Board decided to go out and look at these sites before they make a decision.

Deb said they have also set aside money for legal expenses. That would be for easement documents, etc.

Mr. Scavongelli said a few people have asked him about the pathways. They want to know if they are for walking or biking. She said the biking is for inexperienced bicyclists. Mr. Scavongelli asked why the committee chose a rustic surface. Deb said it is for aesthetic use. She said it was established for the historic district and it was continued throughout the pathways.

Deb then spoke about the maintenance issues of the pathways. She said a policy needs to be established, given our current set of resources. Deb said a small group should get together and draft maintenance language. Mr. Scavongelli asked if there is an obligation to keep the pathways clear during the winter. Deb said so far there has been no obligation. Mr. Hult said many of these questions need to go to the DPW and Gary Davis. Deb said we need to sit down with our liaisons and discuss what our goals should be and what our mission should be moving forward.

Mr. Scavongelli discussed concerns about cycling groups and organizations that paint the roads when they are preparing to ride down them. Mr. Hult said nobody should be painting these roads except the DPW.

#### **Communications – Grievance matter**

Mr. Hult said this is a hearing on a grievance over payment of a shift differential. Mr. Hult said the Board would listen, ask questions and try to understand the grievance. The result will have to be a definitive ruling, which will most likely not happen tonight. Michael Taplin, Manager of the Communications Department, and Claire Schroder, Business Agent from the Mass. Coalition of Police were present for this discussion. Mike Taplin explained that the grievance is over a shift differential which is a percentage of an employee's base pay for those employee's who work the 'off' shift, the 4 p.m. to midnight shift and the midnight to 8 a.m. shift. He said they were here tonight as part of 'Step 3' of the Grievance Procedures. Mr. Taplin explained that he has and presently prepares the payroll for the Communication Department. He said he was informed by Chief Sullivan verbally and in writing that he should only pay the dispatch personnel night differential for 'shifts worked' under the contract (Art. 7, page 10), and he could not pay night differential for leave, that is, vacation, bereavement and others. Mike said a contract [for the Communication Department] was signed on June 9, 2009 and on June 15, 2009 he was notified of the above. This is the issue. He said never at any time during the contract negotiations was this issue brought up.

Ms Schroder spoke in support of the Dispatchers, re-iterating that at no time during negotiating the contract was this matter brought up for discussion and it was a past practice. She noted that the amount of money for the shift differential is a small sum of approximately \$400.00. She asked the Board to consider the spirit and intent of the contract negotiations. She also asked the Board to look at the language of the Contract.

Police Chief John Sullivan said this Contract was negotiated openly and fairly. He said this matter of the shift differential was brought to his attention by the payroll administrator at Town Hall. He was not aware that this was omitted from the contract.

Mr. Hult said this matter will be discussed further at the next meeting.

#### **Special Town Meeting – Close Warrant**

Town Moderator, Wayne Davis was present for this discussion. Mr. Hult said the purpose of this Special Town Meeting and these two articles is to deal with the issues related with the prepayment of debt by the MSBA. He said what that will require us to do is reduce the amount of money that was set aside for debt services (Article Two). He said Article One will move a reduction of certain budget items in the accrued budget for FY 2010. The idea is to reduce long-term debt by \$197,000.00 and reduce the Police Budget by the amount that is not being expended by the Quinn Bill and transfer that money into the General Government-General Expense fund.

On a motion made by Mr. Stevenson and seconded by Mr. Tice, it was unanimously **VOTED** to close the Warrant for the Special Town Meeting of October 5, 2009 and accept the two warrant articles as drafted in the copy dated 8/31/09. [attached hereto]

Wayne Davis spoke briefly about his concerns over achieving a quorum at the Special Town Meeting. He added that it did not seem that it will take very long to complete this Town Meeting. Mr. Hult said that perhaps this would be a good time to ask the School Building Committee to come in on that night and give an update on the School project. Mr. Davis also asked if the new Town Administrator would be on board for the Special Town Meeting. The answer was 'the Board is working on it'.

#### **Executive Session**

At 8:55 p.m. a motion was made by Mr. Stevenson to go into Executive Session to discuss contract negotiations with the intent to not return to open session. The motion was seconded by Mr. Tice and the following roll call vote was taken: Hult – aye; Williams – aye; Tice – aye; Scavongelli – aye; and, Stevenson – aye.

Respectfully submitted by Margaret M. deMare